

ALASKA DEPARTMENT OF LABOR
DIVISION OF LABOR STANDARDS AND SAFETY

DOSH Program Directive 85-10

December 6, 1985

To: All OSH Staff

Subject: Special Emphasis Program: Trenching and Excavation

1. Purpose: This Program Directive is initiated so that Alaska can participate in the National Emphasis Program (NEP) for the programmed safety inspection of trenching and excavation operations.
2. Directives Affected:
3. Background: Because of the continuing incidence of trench/excavation collapses and accompanying loss of life, Alaska OSH has determined that an increased enforcement presence at worksites where such operations are being conducted is warranted.
 - A. Trenching and excavation work creates hazards to workers which are extremely dangerous. Compliance with OSH construction standards applicable to such operations is frequently bypassed because of economic pressures, a belief that compliance is unnecessary or an expectation that these short-term operations will go undetected.
 - B. Although it would be expected that, after more than 10 years of enforcement activity, most employers would be adhering to shoring and sloping requirements, experience has shown that such is not the case. OSH believes that the rate of deaths and serious injuries resulting from trench/excavation accidents (mostly cave-ins) can be significantly affected only by a concentration of compliance resources within the area of trenching and excavation operations.
 - C. The construction scheduling procedures outlined in the Compliance Manual cannot be used in scheduling inspections of trenching and excavation operations because the timing of such inspections is extremely important. These operations tend to begin and end quickly and must be inspected while they are in operation. Consequently, the following procedures are prescribed in scheduling these inspections.
4. Procedures:
 - A. All compliance personnel shall be instructed to be on the lookout for trenching or excavation worksites. Every observation of such operations shall be handled as follows:
 - (1) Regardless of whether or not a violation is observed, whenever a CO or IH sights or receives any other notice of a trenching or

excavation operation (including nonformal complaints, other government agency referrals, and reports from members of the public) the CO or IH shall:

- (a) Make note of the state and condition of the work operation insofar as it is known, including any apparent serious hazards.
 - (b) Note the name and address or location of the worksite and the contractor performing the operation, if known.
 - (c) Contact his or her immediate supervisor for a decision as to whether an inspection is required.
- (2) All trenching and excavation worksites brought to the attention of the Chief, Safety Compliance shall be inspected as follows:
- (a) If the worksite has been inspected within the last 30 days, the results of the inspection shall be considered along with the current observations of the CO or IH.
 - (i) If trenching/excavation work was not in progress during the last inspection and there are apparent serious violations present at the current site, the supervisor shall authorize an inspection.
 - (ii) If trenching/excavation work was in progress during the last inspection, the supervisor shall authorize an inspection only if apparent serious violations are present or can reasonably be expected at the current site.
 - (b) If the worksite has not been inspected within the last 30 days, an inspection shall be conducted unless it is apparent that the trench or excavation is less than 5 feet in depth or is in compliance with all OSH standards governing such operations.
- (3) Reports of imminent danger, fatality/catastrophe reports, formal complaints, safety and health agency referrals and media reports shall be scheduled as unprogrammed inspections, conducted as described in the relevant chapters of the Compliance Manual.
- (4) Nonformal complaints and other referrals involving trenching or excavation operations shall be scheduled as unprogrammed inspections under the NEP, conducted in accordance with procedures found in Chapter IX of the Compliance Manual. Such notices, therefore, need not be responded to with the usual letter to the employer.
- (5) An inspection scheduled under this NEP does not necessarily need to be inspected by the person making the original observation. A CO or IH referral may be appropriate under the guidelines given in the Compliance Manual, Chapter IX, B.

- B. The discovery of these worksites may be the result of a specific search to find this type of operation, at the discretion of the Deputy Director. Although sightings normally will be those which occur during the course of routine travel during duty or nonduty hours, the Deputy Director may provide that the Chief saturate areas of high construction activity for the purpose of identifying all trenching and excavation sites within that area as far as reasonably possible. Verification of information received from sources other than CO or IH observation, as indicated in 4.A.(i) is also permitted under this NEP.
 - C. Documentation of the events leading up to the observation or the reporting of the trenching or excavation worksite shall be maintained by the Anchorage Office in case of denial of entry.
 - D. When an inspection is not conducted because consent has not been obtained, a warrant normally shall be sought in accordance with the current procedure for handling such cases. A warrant may not be necessary, however, if the violations are in plain view. In such situations, the Deputy Director shall contact the legal counsel for guidance.
 - E. If the CO or IH initially observing the work operation involving a trenching or excavation operation sees an apparently serious hazard in plain view, and if it is not convenient to contact the supervisor at the time, an inspection shall be conducted and the supervisor informed as soon as practical after the inspection has been completed.
 - F. The scope of inspections conducted under this NEP shall normally be limited to the trenching or excavation operation. If the inspection is to be expanded, the principles given in the Compliance Manual, Chapter VII, C.1.b. and d. shall be followed.
 - G. When conducting inspections in trenching or excavation operations, COs and IHs shall be alert to the presence of minors who may be employed at such worksites. Because the Wage and Hour Section has regulations related to the employment of minors between 16 and 18 years old in hazardous occupations, any indication during a trenching or excavation inspection that minors are so employed shall be reported as soon as reasonably possible to the Deputy Director, Labor Standards and Safety in Anchorage. The Deputy Director for OSH shall be informed whenever such a referral has been made.
5. Recording in IMIS. The following guidelines shall be applied when recording inspections conducted under this NEP or other inspections where trenching or excavation operations are found:
- A. Current instructions for completing the appropriate inspection classification boxes (Items 24 and 25) on the Inspection Report, AK OSH-1 Form, as found in the IMIS Manual shall be followed for inspections under this NEP.
 - (1) The AK OSH-1 for any programmed inspection scheduled under the

procedures in the Compliance Manual, Chapter II, E.2.b.(3) shall be marked "Planned" (Item 24h.), "Construction" (Item 25a.) and "National Emphasis Program" (Item 25d.). Record "TRENCH" in the space in Item 25d.

(2) The AK OSH-1 for any programmed inspection scheduled under this National Emphasis Program shall be marked "Planned" (Item 24h.) and "National Emphasis Program" (Item 25d.). Record "TRENCH" in the space in Item 25d.

(3) The AK OSH-1 for any unprogrammed inspection of a trenching or excavation operation shall be marked as unprogrammed (Item 24a. through g. as appropriate). In addition it shall be marked "National Emphasis Program" (Item 25d.). Record "TRENCH" in the space in Item 25d.

B. Nonformal complaints, other government agency referrals and reports from the public reporting potential hazards related to trenching or excavation operations shall be recorded on an AK OSH-7, Notice of Alleged Safety or Health Hazards, or an OSH-90, Referral Report, if appropriate, in accordance with current IMIS instructions. They shall be recorded as unprogrammed inspections under the NEP as outlined in 5.A.(3).

6. The Consultation and Training section which is funded in part by OSHA 7(c)(1) funds will develop outreach programs to support the enforcement effort. Such programs might consist of letters to employers who engage in trenching or excavation operations explaining the hazards involved and what OSH standards require. Fatalgrams will be widely distributed on accidents related to trenches or excavations.


Robert J. Bacolas, Director

Reviewed and Approved


Jim Robison, Commissioner